

REMARKS

Reconsideration of this application in view of the following remarks is respectfully requested.

Claims 1-12 are pending in this application. The Office Action rejected the pending claims as follows: Claims 1-5 and 7-11 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,125,080 (Sonnenschein et al.) in view of U.S. Patent No. 6,272,072 (Wulich et al.); and Claims 6 and 12 were rejected under 35 U.S.C. §103(a) as being unpatentable over Sonnenschein et al. in view of Wulich et al. and further in view of U.S. Patent No. 6,289,207 (Hudecek et al.).

Claims 1 and 7 are the independent claims in this application. Claims 1 and 7 were rejected in view of Sonnenschein et al. and Wulich et al. The Examiner admitted that Sonnenschein et al. fails to teach that “the MTT transfers to the SOS service mode when the user requests emergency assistance and when the MTT cannot communicate via the base station” (Office Action, top of page 3). The Examiner cited Wulich et al. as allegedly curing this defect. However, as explained in detail below, Wulich et al. is not prior art.

The present application claims priority to Korean Application Serial No. 1999/58185, which was filed on December 16, 1999. Wulich et al. was filed on December 21, 1999 as application serial no. 09/468,615. Accordingly, the ‘615 Wulich et al. application was filed after the priority date of the present application.

The ‘615 Wulich et al. application is a continuation-in-part application of application serial no. 09/277,476, which was filed on March 26, 1999. Accordingly, Wulich et al. can only

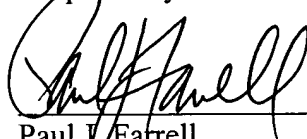
qualify as prior art if the earlier-filed '476 application includes disclosure supporting the subject matter cited by the Examiner in the Office Action.

A copy of the '476 application has been obtained and reviewed. For the Examiner's convenience, a copy of the '476 application is enclosed. The '476 application fails to provide support for the subject matter cited by the Examiner in the Office Action.

Specifically, the Examiner cited Col. 3, lines 20-32, Col. 8, lines 41-67, Col. 10, lines 55-67, and Col. 14, lines 32-46 of Wulich et al. as allegedly disclosing "wherein the MTT transfers to the SOS service mode when the user requests emergency assistance and when the MTT cannot communication via the base station" (Office Action, page 3). The '476 application fails to include disclosure supporting the subject matter cited by the Examiner. Rather, the '476 application relates to a method for navigating underwater, particularly to a method for using the Doppler effect to locate underwater objects, such as a diver.

Accordingly, withdrawal of the present rejection and allowance of the pending claims, i.e. Claims 1-12, is respectfully requested. If the Examiner has any questions regarding this communication, the Examiner is requested to contact the undersigned.

Respectfully submitted,



Paul J. Farrell
Reg. No. 33,494
Attorney for Applicant(s)

DILWORTH & BARRESE, LLP
333 Earle Ovington Blvd.
Uniondale, NY 11553
(516) 228-8484

Enclosures: 1) Certified translation of Korean Application Serial No. 1999/58185; and
2) A copy of the '476 application.